

1 PHILIP M. MILLER (SBN 87877)
KRISTEN McCULLOCH (SBN 177558)
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6 Attorney for Plaintiffs
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 (SAN FRANCISCO DIVISION)
11

12 CALIFORNIA SERVICE EMPLOYEES
HEALTH & WELFARE TRUST FUND,
13 MIKE GARCIA, Trustee, CHARLES
GILCHRIST, Trustee, RAYMOND C. NANN,
14 Trustee, LARRY T. SMITH, Trustee,

15 Plaintiffs,

16 vs.

17 A & B MAINTENANCE, INC., a California
corporation,

18 Defendant.
19

Case No.: C 07-04945 TEH

**REQUEST TO ENTER DEFAULT
AND DECLARATION OF
PHILIP M. MILLER**

20 **TO THE CLERK:**

21 Please enter the default of defendant A & B Maintenance, Inc., a California corporation, on
22 the Complaint in the above-entitled action. This request is based on the fact that defendant has
23 failed to plead or otherwise defend or appear in this action, and the time permitted for such
24 pleadings, defense or other appearance has run.
25

26 Attached hereto as Exhibit A is a copy of the electronically-filed Proof of Service on
27 defendant A & B Maintenance, Inc., electronically filed with the Court on October 16, 2007.

28 / / /

**REQUEST TO ENTER DEFAULT AND
DECLARATION OF PHILIP M. MILLER
Case No.: C 07-04945 TEH**

1 I declare under penalty of perjury that I am the attorney for the Plaintiffs in the above-
2 entitled action, and that the foregoing is true of my own knowledge.

3 Executed this 22nd day of October, 2007, at San Francisco, California.

4 SALTZMAN & JOHNSON LAW CORPORATION

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8 By: Philip M. Miller
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PROOF OF SERVICE

I am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 120 Howard Street, Suite 520, San Francisco, California 94105.

On October 23, 2007, I served the following documents on the parties to this action, addressed as follows, in the manner described below:

**REQUEST TO ENTER DEFAULT AND
DECLARATION OF PHILIP M. MILLER**

XX **MAIL**, being familiar with the practice of this office for the collection and the processing of correspondence for mailing with the United States Postal Service, and deposited in the United States Mail copies of the same to the business addresses set forth below, in a sealed envelope fully prepared.

Addressed to:

A & B Maintenance, Inc.
405 East Gardena Blvd., Suite A
Gardena, CA 90247

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 23rd of October, 2007 at San Francisco, California.


Julie Jellen

XS

EXHIBIT A

TO REQUEST TO ENTER DEFAULT

AND DECLARATION OF

PHILIP M. MILLER

ATTORNEY NAME NO. Phillip M. Miller, Esq. (SBN 87877) (415) 882-7900 Saltzman & Johnson Law Corporation 120 Howard Street, Suite 520 San Francisco, CA 94105		TELEPHONE	
ATTORNEY FOR PLAINTIFFS			
COURT UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA			
SHORT NAME OF CASE California Service Employees Health & Welfare Trust Fund vs. A & B Maintenance, Inc.			
PROOF OF SERVICE	DATE:	TIME:	DEPT/DIV: CASE NUMBER: C 07-04945 TEH

I am and was on the dates herein mentioned over the age of 18 years and not a party to this action:

I served the:

Summons

Complaint

Order Setting Initial Case Management Conference

Order Setting Initial Case Management Conference and ADR Deadlines

Standing Order of the Honorable Thelton B. Henderson and Standing Order for all Judges of the Northern District of California Re Contents of Joint Case Management Statement

Declaration to Proceed before a Magistrate Judge

ECF Registration Information Handout

Welcome to the United States District Court, San Francisco

Notice of Availability of Magistrate Judge to Exercise Jurisdiction

Form: Consent to Proceed before a United States Magistrate Judge

Public Notice-Magistrate Judge, U.S. District Court, Northern District of California

Instructions for Completion of ADR Forms Regarding Selection of an ADR Process

Form: Stipulation and [Proposed Order] Selecting ADR Process

Form: Notice of Need for ADR Phone Conference, ADR Certification,

Form: ADR Certification by Parties and Counsel

ADR Dispute Resolution Procedures Handbook

Name: A & B Maintenance, Inc.

Date of Delivery: 10/01/07

Time of Delivery: 1:30 a.m.

Place of Service: 405 E. Gardena Boulevard, Suite A
Gardena, CA 90247

Manner of Service: Personal Service -- by handing documents to Jane Doe, manager of A & B Maintenance and person authorized to accept service.

ADOPTED JUDICIAL COUNCIL FORM, RULE 982 (A) (23) I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on October 2nd, 2007 in Los Angeles, CA.

Theresa's Messenger Service
P.O. Box 190543

San Francisco, CA 94119
(415) 760-2188

Signature: 

Name: Kirk Jackson
Title: RPS, Los Angeles # 5118

PROOF OF SERVICE

EXHIBIT A